

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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JOSEPH L. DEXTER and SHIRLEY
A. DEXTER,

NO. CIV. S 04-2643 MCE JFM

Plaintiffs,

v.

ORDER

FORWARD AIR, INC., a Tennessee
corporation, STARWOOD HOTELS
AND RESORTS WORLDWIDE, INC., a
Maryland corporation, and THE
HERTZ CORPORATION, a Delaware
corporation,

Defendants.

and

CONTINENTAL AIRLINES, GALLAGHER BASSETT
SERVICES, INC., and NATIONAL UNION FIRE
INSURANCE COMPANY,

Applicants for Intervention.

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Through the present action, Plaintiff Joseph Dexter

1 ("Plaintiff") seeks damages for personal injuries¹ allegedly
2 sustained while in the course and scope of his employment with
3 Continental Airlines. Jurisdiction is premised on diversity of
4 citizenship pursuant to 28 U.S.C. § 1332. Continental Airlines,
5 Gallagher Bassett Services, Inc., and National Union Fire
6 Insurance Company ("Applicants for Intervention") now move to
7 intervene in Plaintiff's lawsuit against the entities allegedly
8 responsible for the motor vehicle accident as a result of which
9 Plaintiff claims to have been injured. Applicants for
10 Intervention seek to recover workers' compensation benefits paid
11 to Plaintiff following the accident, and propose to file a
12 Complaint in Intervention on that basis.

13 No opposition having been filed to Applicants' request, and
14 good cause appearing therefore, the Motion for Leave to File a
15 Complaint in Intervention is GRANTED.² Applicants for
16 Intervention are directed to serve and file their proposed
17 Complaint in Intervention within thirty (30) days from the date
18 of this order.

19 IT IS SO ORDERED.

20 DATED: October 26, 2005
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25 ¹Mr. Dexter's wife, Shirley A. Dexter, is also a named
26 Plaintiff and seeks loss of consortium damages as a result of her
husband's injuries.

27 ²Because oral argument would not be of material assistance,
28 this matter was deemed suitable for decision without oral
argument. E.D. Local Rule 78-230(h).


MORRISON C. ENGLAND, JR.

UNITED STATES DISTRICT JUDGE